

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

PURDUE PHARMA PRODUCTS L.P.,  
NAPP PHARMACEUTICAL GROUP LTD.,  
BIOVAIL LABORATORIES INTERNATIONAL  
SRL, and ORTHO-MCNEIL, INC.,

Plaintiffs,

V.

PAR PHARMACEUTICAL, INC. and  
PAR PHARMACEUTICAL COMPANIES, INC.,

Defendants.

C.A. No. 07-255 (JJF)  
(CONSOLIDATED)

## **STIPULATION AND ORDER**

IT IS HEREBY STIPULATED AND AGREED, by and among the parties,  
subject to the approval of the Court, as follows:

1. Plaintiffs withdraw their Motion To Strike Defendants' Expert Report Of Harry F. Manbeck, Jr. ("Motion To Strike") (D.I. 200).
2. Defendants agree not to call Mr. Manbeck to testify at trial, not to offer his expert report into evidence, or otherwise offer testimony relying on his expert report at trial for the truth of the matters asserted therein. Defendants may refer to or rely on Mr. Manbeck's report in their discovery responses and in statements and documents filed with the Court for the purpose of attempting to establish compliance with discovery obligations and/or the timing of Defendants' disclosure of their contentions and bases therefor to Plaintiffs.

3. Plaintiffs similarly agree not to call a legal or other “patent law” expert to testify at trial, not to offer an expert report of such an expert into evidence or offer testimony relying on such an expert report at trial for the truth of the matters asserted therein, or offer an expert opinion on the issue of intent to deceive, at trial. Plaintiffs reserve the right to object to the timeliness or sufficiency of Defendants’ disclosure of their contentions and bases therefor.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

RICHARDS, LAYTON & FINGER, P.A.

*/s/ Rodger D. Smith II*

*/s/ Steven J. Fineman*

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*/s/ Richard D. Kirk*

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SO ORDERED this \_\_ day of \_\_\_\_\_, 2008.

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Judge Joseph J. Farnan  
United States District Court Judge

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